



## Local Ballot Measure: D

# Measure D

## Roseland School District

### Measure Question

To modernize and renovate outdated classrooms, restrooms and school facilities; repair or replace roofs; acquire land; and make health and safety improvements, shall the Roseland Elementary School District measure authorizing \$9,400,000 in bonds, at legal interest rates, and levying approximately 3 cents per \$100 of assessed valuation (\$539,000 annually) while bonds are outstanding, with a board appointed citizens' oversight committee and annual independent audits to assure proper expenditure of funds, be adopted?

### What Your Vote Means

YES	NO
A "yes" vote on Measure D will authorize the District to issue the bonds and levy taxes to pay for the indebtedness.	A "no" vote on Measure D will not authorize either the issuance of bonds or the associated levy of taxes.

### For and Against Measure D

FOR	AGAINST
Ezbon Jen Instructor at SRJC  Florence E. Melander Retired teacher  Carlos Arita Assistant Superintendent, JMA  Linda Mardell Instructor for D.D. Adults  Ignacio Padilla Parent, 29 year resident	No argument was submitted against Measure D



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### County Counsel's Impartial Analysis of Measure D

California law permits school districts to issue bonds to pay for construction, repair, replacement, and acquisition of school facilities provided 55 percent of voters who vote on the measure approve the sale of the bonds. The Roseland Elementary School District Board of Trustees has placed on the ballot the question of whether to issue \$9,400,000 in bonds for such purposes.

Money raised by bond sales may only be used for the purposes and projects stated in the Bond Project List set forth in Measure D, following this analysis. Proceeds could be used to modernize, renovate, construct, acquire, equip, expand, or otherwise improve educational and support facilities. The Bond Project List includes a complete list of projects and allowed expenditures. As required by law, Measure D prohibits using bond proceeds for teacher or administrator salaries or other operating expenses.

The Board of Trustees has certified that it evaluated safety, class size, and information technology needs in developing the Bond Project List. Inclusion of a project on the Bond Project List does not guarantee it will be funded or completed. The District may seek State funds to augment Bond proceeds to advance the Bond Project List. The Board of Trustees will establish the priority and order in which projects are undertaken.

If adopted, Measure D includes "Accountability Safeguards" that require the Board of Trustees to: annually conduct independent financial and performance audits; establish an Independent Citizens' Oversight Committee; and maintain bond proceeds in a separate account in the County Treasury. Measure D further requires District Superintendent to provide an annual report to the Board on the status of projects undertaken and the amount of bond proceeds received and expended in each year.

If approved, Measure D authorizes Roseland Elementary School District to issue and sell general obligation bonds in series, at different times, as projects are undertaken. Bonds of any series must mature within the statutory maximum number of years from date of issue. The interest rate on the bonds will depend on the market rate at the time bonds are sold, but cannot exceed the maximum rate set by law. Bonds will be repaid from property taxes levied on real property within the District through Fiscal Year 2054-55 based on the value of land and improvements on each property. Those taxes would be in addition to current real property taxes within the District.

The amount of tax needed each year will depend upon the amount needed to repay outstanding principal and interest. The District's Tax Rate Statement, which follows this analysis, estimates the highest tax rate necessary to fund the bonds is \$30 per \$100,000 of assessed value. Those tax levies are projections, and could go up or down, depending on a number of factors including the timing and amount of bond sales, and changes in assessed property values in the District. If all bonds are sold, the total debt service (including principal and interest) will be \$18,800,000. The tax will raise approximately \$539,000 annually.

A "yes" vote on Measure D will authorize the District to issue the bonds and levy taxes to pay for the indebtedness. A "no" vote on Measure D will not authorize either the issuance of bonds or the associated levy of taxes.

BRUCE D. GOLDSTEIN  
County Counsel

By: s/ Robert Pittman  
Assistant County Counsel

### Tax Rate Statement — Measure D

An election will be held in the Roseland Elementary School District (the "District") on March 3, 2020, to authorize the sale of up to \$9,400,000 in bonds of the District to finance school facilities as described in the proposition. If the bonds are approved, the District expects to issue the bonds in multiple series over time. Principal and interest on the bonds will be payable from the proceeds of tax levies made upon the taxable property in the District. The following information is provided in compliance with Sections 9400 through 9405 of the California Elections Code.

1. The best estimate of the average annual tax rate that would be required to be levied to fund this bond issue over the entire duration of the bond debt service, based on assessed valuations available at the time of filing of this statement, is 2.85 cents per \$100 (\$28.50 per \$100,000) of assessed valuation. The final fiscal year in which the tax to be levied to fund this bond issue is anticipated to be collected is fiscal year 2054-55.
2. The best estimate of the highest tax rate that would be required to be levied to fund this bond issue, based on estimated assessed valuations available at the time of filing of this statement, is 3 cents per \$100 (\$30.00 per \$100,000) of assessed valuation in fiscal year 2020-21 and such tax rate is expected to continue through fiscal year 2050-51.
3. The best estimate of the total debt service, including the principal and interest, that would be required to be repaid if all of the bonds are issued and sold is approximately \$18.8 million.

Voters should note that estimated tax rates are based on the *ASSESSED VALUE* of taxable property on the County's official tax rolls, *not* on the property's market value, which could be more or less than the assessed value. In addition, taxpayers eligible for a property tax exemption, such as the homeowner's exemption, will be taxed at a lower effective tax rate than described above. Property owners should consult their own property tax bills and tax advisors to determine their property's assessed value and any applicable tax exemptions.

Attention of all voters is directed to the fact that the foregoing information is based upon the District's projections and estimates only, which are not binding upon the District. The average annual tax rate, the highest tax rate, the final fiscal year in which the tax is anticipated to be collected and the year or years in which they will apply, and the actual total debt service, may vary from those presently estimated for a variety of reasons, including, without limitation, due to variations in the timing of bond sales, the amount or amortization of bonds sold, market conditions at the time of each sale, and actual assessed valuations over the term of repayment of the bonds. The dates of sale and the amount or amortization of bonds sold at any given time will be determined by the District based on need for construction funds and other factors, including the legal limitations on bonds approved by a 55% affirmative vote. Market conditions, including, without limitation, interest rates, are affected by economic and other factors beyond the control of the District and will depend on the bond market at the time of each sale. Actual future assessed valuation will depend upon the amount and value of taxable property within the District as determined by the County Assessor in the annual assessment and the equalization process. The growth or decline in assessed valuation is the result of a number of economic and other factors outside the control of the District.

Dated: Nov. 20<sup>th</sup>, 2019

s/ Amy Jones-Kerr  
Superintendent  
Roseland Elementary School District

### State Matching Funds for Measure D

Approval of Measure D does not guarantee that the proposed project or projects in the Roseland Elementary School District that are the subject of bonds under Measure D will be funded beyond the local revenues generated by Measure D. The District's proposal for the project or projects may assume the receipt of matching State funds, which could be subject to appropriation by the Legislature or approval of a statewide bond measure.

**California Education Code §15122.5**



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Arguments and rebuttals are the opinions of the authors. They are printed exactly as submitted, including errors.

Argument in Favor of Measure D	Argument Against Measure D
<p>Everyone knows the importance and value of having quality schools. From higher achieving students, to increased home values, to greater neighborhood safety, quality schools make a difference. Our teachers and staff do their best in educating our children, but many classrooms and school facilities in the Roseland Elementary School District are old and inadequate to provide students with the school facilities they need to succeed.</p> <p>Our children need your yes vote on Measure D! Although our elementary schools have been well maintained over the years, it is now time to finish our plan to fully renovate our schools into sustainable 21st Century learning environments. Measure D would allow the District to improve our schools and the quality of education provided to local children. By investing in our schools, we can meet today's safety, technological, and educational standards and better our community.</p> <p>Measure D, if passed, will provide funding to make critical facility improvements at our elementary schools by repairing or replacing leaky roofs; making health and safety improvements; acquiring land; replacing outdated heating, ventilation and air-conditioning systems; modernizing and renovating outdated classrooms, restrooms and school facilities; and making energy-efficiency improvements throughout the District.</p> <p>Measure D makes financial sense and protects taxpayers. Measure D raises funds needed to improve our local schools. By law, spending must be reviewed and annually audited by an independent citizens' oversight committee; and all bond funds must be spent locally and cannot be taken by the state. In addition, funds can only be spent to improve our local schools, not for teacher or administrator salaries.</p> <p>Measure D upgrades and renovates old and inadequate classrooms, improves the education of local children, and maintains the quality of our community. That's something we can all support. Please join us and vote yes on Measure D!</p> <div><div><div>s/ Ezbon Jen Instructor at SRJC</div><div>s/ Carlos Arita Assistant Superintendent, JMA</div><div>s/ Ignacio Padilla Parent, 29 year resident</div></div><div><div>s/ Florence E. Melander Retired teacher</div><div>s/ Linda Mardell Instructor for D.D. Adults</div></div></div>	<p>No argument was submitted against Measure D</p>



# Local Ballot Measure: D

## Full Text of Measure D

### ROSELAND ELEMENTARY SCHOOL DISTRICT CLASSROOM SAFETY, RENOVATION AND CONSTRUCTION MEASURE

This proposition may be known and referred to as the "Roseland Elementary School District Classroom Safety, Renovation and Construction Measure" or as "Measure D".

#### **BOND AUTHORIZATION**

By approval of this proposition by at least 55% of the voters of the Roseland Elementary School District (the "District") voting on the proposition, the District shall be authorized to issue and sell bonds of up to \$9,400,000 in aggregate principal amount to provide financing for the specific school facilities projects listed under the heading entitled "BOND PROJECT LIST" below (the "Bond Project List"), and qualify to receive State of California matching grant funds, subject to all of the accountability safeguards specified below.

#### **ACCOUNTABILITY SAFEGUARDS**

The provisions in this section are specifically included in this proposition in order that the voters and taxpayers of the District may be assured that their money will be spent to address specific school facilities needs of the District, all in compliance with the requirements of Article XIII A, Section 1(b)(3) of the California Constitution, and the Strict Accountability in Local School Construction Bonds Act of 2000 (codified at Sections 15264 and following of the California Education Code (the "Education Code")).

**Evaluation of Needs.** The Board of Trustees of the District (the "Board") is preparing an updated facilities plan in order to evaluate and address the facilities needs of the District, and to determine which projects to finance from a local bond at this time. The Board hereby certifies that it has evaluated safety, class size reduction and information technology needs in developing the Bond Project List.

**Limitations on Use of Bonds.** Proceeds from the sale of bonds authorized by this proposition shall be used only for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, and not for any other purpose, including teacher and administrator salaries and other school operating expenses. More specifically, the Bond Project List provides for the specific projects the District proposes to finance with proceeds from the sale of bonds authorized by this proposition and such proceeds shall be applied only to those specific purposes.

**Independent Citizens' Oversight Committee.** In accordance with and pursuant to Education Code Section 15278 and following, the Board shall establish an independent citizens' oversight committee, to ensure proceeds from the sale of bonds authorized by this proposition are expended only for the school facilities projects listed in the Bond Project List. The committee shall be established within 60 days of the date that the Board enters the election results on its minutes pursuant to Section 15274 of the Education Code. In accordance with Section 15282 of the Education Code, the citizens' oversight committee shall consist of at least seven members and shall include a member active in a business organization representing the business community located within the District, a member active in a senior citizens' organization, a member active in a bona fide taxpayers' organization, a member that is a parent or guardian of a child enrolled in the District, and a member that is both a parent or guardian of a child enrolled in the District and active in a parent-teacher organization. No employee or official of the District and no vendor, contractor or consultant of the District shall be appointed to the citizens' oversight committee.

**Annual Performance Audits.** In compliance with the requirements of Article XIII A, Section 1(b)(3)(C) of the California Constitution, and the Strict Accountability in Local School Construction Bonds Act of 2000, the

Board shall conduct an annual, independent performance audit to ensure that the proceeds from the sale of bonds authorized by this proposition have been expended only on the school facilities projects listed in the Bond Project List. These audits shall be conducted in accordance with the Government Auditing Standards issued by the Comptroller General of the United States for performance audits. The results of these audits shall be made publicly available and shall be submitted to the citizens' oversight committee in accordance with Section 15286 of the Education Code.

**Annual Financial Audits.** In compliance with the requirements of Article XIII A, Section 1(b)(3)(D) of the California Constitution, and the Strict Accountability in Local School Construction Bonds Act of 2000, the Board shall conduct an annual, independent financial audit of the proceeds from the sale of bonds authorized by this proposition until all of those proceeds have been spent for the school facilities projects listed in the Bond Project List. These audits shall be conducted in accordance with the Government Auditing Standards issued by the Comptroller General of the United States for financial audits. The results of these audits shall be made publicly available and shall be submitted to the citizens' oversight committee in accordance with Section 15286 of the Education Code.

**Special Bond Proceeds Account; Annual Report to Board.** In compliance with the requirements of California Government Code Section 53410 and following, upon approval of this proposition and the sale of any bonds approved, the Board shall take actions necessary to establish an account in which proceeds of the sale of bonds authorized by this proposition shall be deposited. In compliance with the requirements of California Government Code Section 53411, as long as any proceeds of the bonds remain unexpended, the chief fiscal officer of the District shall cause a report to be filed with the Board no later than January 1 of each year, commencing on the first January 1 after the sale of the first series of bonds, stating (a) the amount of funds collected and expended in that year, and (b) the status of any project required or authorized to be funded from bond proceeds. The report may relate to the calendar year, fiscal year, or other appropriate annual period as the chief fiscal officer of the District shall determine, and may be incorporated into the annual budget, audit, or other appropriate routine report to the Board.

#### **FURTHER SPECIFICATIONS**

**Joint-Use Projects.** The District may enter into agreements with other public agencies or nonprofit organizations for joint use of the school facilities financed with the proceeds from the sale of bonds authorized by this proposition in accordance with Education Code Section 17077.42 (or any successor provision). The District may seek State grant funds for eligible joint-use projects as permitted by law, and this proposition hereby specifies and acknowledges that, subject to the limitations on the uses provided for herein, the proceeds from the sale of bonds authorized by this proposition will or may be used to fund all or a portion of the local share for any eligible joint-use projects identified in the Bond Project List or as otherwise permitted by California State regulations, as the Board shall determine.

**Single Purpose.** All of the purposes enumerated in this proposition shall be united and voted upon as one single proposition, pursuant to Education Code Section 15100, and all the enumerated purposes shall constitute the specific single purpose of the bonds, and the proceeds from the sale of bonds authorized by this proposition shall be spent only for such purpose, pursuant to California Government Code Section 53410.

**Bonds may be Issued in Excess of Statutory Bonding Limit.** Issuance of all of the authorized bonds might require the outstanding debt of the District to exceed its statutory bonding limit of 1.25% of the total assessed valuation of taxable property in the District. In that event, the District intends to seek a waiver of its bonding limit from the State Board of Education, which has the power to waive certain requirements of the



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### Full Text of Measure D (Cont.)

Education Code applicable to the District. By approval of this proposition, the voters have authorized the District to seek such a waiver, and to issue authorized bonds in excess of the 1.25% limit as the State Board of Education may approve. No such waiver has yet been sought or granted.

**Other Terms of the Bonds.** When sold, the bonds shall bear interest at an annual rate not exceeding the statutory maximum, and that interest shall be made payable at the time or times permitted by law. The bonds may be issued and sold in several series, and no bond shall be made to mature more than the statutory maximum number of years from the date borne by that bond.

#### **ESTIMATED BALLOT INFORMATION**

The District is required by law to include in the statement of the measure to be voted on estimates of the amount of money to be raised annually to repay the bonds and the rate and duration of the tax to be levied for the bonds. As of the time this proposition was placed on the ballot, the District estimated an average tax rate of approximately 3 cents per \$100 of assessed valuation (annual repayment amount averaging \$539,000) while the bonds are outstanding (estimated to be approximately 35 years). Attention of all voters is directed to the fact that such information is based upon the District's projections and estimates only, which are not binding upon the District. The amount of money to be raised annually and the rate and duration of the tax to be levied for the bonds may vary from those presently estimated due to variations from these estimates in the timing of bond sales, the amount of bonds sold and market interest rates at the time of each sale, and actual assessed valuations over the term of repayment of the bonds. The dates of sale and the amount of bonds sold at any given time will be determined by the District based on need for construction funds and other factors. The actual interest rates at which the bonds will be sold will depend on the bond market at the time of each sale. Actual future assessed valuation will depend upon the amount and value of taxable property within the District as determined by the County Assessor in the annual assessment and the equalization process.

#### **BOND PROJECT LIST**

The Bond Project List below lists the specific projects the District proposes to finance with proceeds of the bonds. The Bond Project List shall be considered a part of this bond proposition and shall be reproduced in any official document required to contain the full statement of the bond proposition. Listed projects will be completed as needed at a particular school or school facility site according to Board-established priorities, and the order in which such projects appear on the Bond Project List is not an indication of priority for funding or completion. In so far as permitted by law, each project is assumed to include its share of costs of the election and bond issuance, construction-related costs, such as project and construction management, architectural, engineering, inspection and similar planning and testing costs, demolition and interim housing costs, legal, accounting and similar fees, costs related to the independent annual financial and performance audits, a contingency for unforeseen design and construction costs, and other costs incidental to or necessary for completion of the listed projects (whether the related work is performed by the District or third parties). The final cost of each project will be determined as plans are finalized, construction bids are awarded, and projects are completed. In addition, certain construction funds expected from non-bond sources, including State of California grant funds for eligible projects, have not yet been secured. Therefore, the Board cannot guarantee that the bonds will provide sufficient funds to allow completion of all listed projects. Alternatively, if the District obtains unexpected funds from non-bond sources with respect to listed projects, such projects may be enhanced, supplemented or expanded to the extent of such funds. Some projects may be subject to further government approvals, including by State officials and boards and/or local environmental or agency approval. Inclusion of a project on the Bond Project List is not a guarantee that the project will be completed (regardless of whether bond funds are available).

The specific projects authorized to be financed with proceeds from the sale of bonds authorized by this proposition are as follows:

#### **ROSELAND ELEMENTARY SCHOOL DISTRICT CLASSROOM SAFETY, RENOVATION AND CONSTRUCTION MEASURE**

**The following projects are authorized to be financed at all school sites and District support facilities:**

- Modernize, renovate, replace, re-configure, expand, acquire and install, and/or upgrade classrooms, classroom buildings, labs, gymnasium, multi-purpose rooms, restrooms, common areas and grounds, and school support facilities (including library, multipurpose room/auditorium, storage areas, food storage, preparation and service, cafeteria and office/staff support facilities), whether permanent, portable or modular, including interior and exterior doors, windows, door and window hardware, roofs, rain gutters and downspouts, walls, ceilings and floors and finishes, paint, siding, insulation, cabinets, storage, carpets, drapes, window coverings, infrastructure, lighting, sinks, drinking fountains, fixtures, and signage.
- Renovate, replace, upgrade, acquire, and install roofing and insulation.
- Renovate, re-configure and/or modernize portable buildings or replace such buildings with permanent, portable or modular buildings.
- Acquisition of land, rights-of-way and easements made necessary for construction of new school facilities.
- Renovate, replace, upgrade, acquire, install and/or integrate major site/building/utility systems, equipment and related infrastructure and housing, including lighting, electrical (including wiring and related infrastructure for modern technology), heating, ventilation and air-conditioning (HVAC), water, sewer, gas, plumbing, and energy management systems, networks, fixtures, equipment and controls.
- Acquire, install, upgrade and/or construct renewable energy and/or energy-saving systems, improvements and equipment, including electricity generation and distribution systems and/or water heating systems, natural light improvements, upgraded insulation and roofing, efficient lighting, windows and window coverings, shade structures, energy management and conservation systems, and other passive technologies, and structures to support such systems, improvements and equipment and related infrastructure.
- Upgrade, expand and/or acquire and install fencing, gates, locks (including electronic locking systems), security lighting, security alarm, video surveillance, intercom, bell and communication systems, and fire alarms and related systems.
- Reconfigure, renovate, resurface, improve and/or expand roads, sidewalks, pathways, paved areas, parking lots and related areas, and pick-up/drop-off areas.
- Acquire, install, expand, and/or replace landscape, hardscape, irrigation and drainage.
- Construct/install and/or acquire outdoor learning areas, including shade/rain structures and sitting areas.
- Improve, correct, restore or renovate grounds, buildings and structures or portions thereof to eliminate or mitigate health and safety risks and/or comply with local, state and federal building, health, safety, access and other related requirements, including access requirements of the Americans with Disabilities Act (ADA).
- Modernize, renovate, replace, re-configure, expand, acquire and install, and/or play areas, play grounds, play fields, and related facilities.
- Construct new classrooms, classroom buildings, restrooms, administrative/staff support facilities and related school facilities, whether permanent, portable or modular, and furnish and equip such classrooms, labs, restrooms and facilities.

All or portions of these projects may be used as joint-use projects within the meaning of Section 17077.42(c) of the Education Code (or any successor provision).



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#### MISCELLANEOUS

##### All listed bond projects include the following as needed:

- Planning, designing and providing temporary housing necessary for listed bond projects.
- The inspection, sampling and analysis of grounds, buildings and building materials to determine the presence of hazardous materials or substances, including asbestos, lead, etc., and the encapsulation, removal, disposal and other remediation or control of such hazardous materials and substances.
- Necessary onsite and offsite preparation or restoration in connection with new construction, renovation or remodeling, or installation or removal of relocatable buildings or other temporary buildings, including demolition of structures; removing, replacing, or installing irrigation, drainage, utility lines (gas, water, sewer, electrical, data and voice, etc.), trees and landscaping; and relocating fire access roads or ingress/egress pathways.
- Address other unforeseen conditions revealed by construction, renovation or modernization (including plumbing or gas line breaks, dry rot, seismic and structural deficiencies, etc.).
- Acquire or construct other improvements required to comply with building codes, including seismic safety requirements, the Field Act, and access requirements.
- Acquisition of any rights-of-way, easements, licenses and/or real property made necessary by listed bond projects, or lease of real property made necessary by the listed bond projects.
- Acquire or construct storage facilities and other space on an interim basis, as needed to accommodate construction materials, equipment, and personnel.
- Furnishing and equipping of classrooms and other school facilities; furnishing and equipping shall include initial purchases, and scheduled and necessary replacements, upgrades and updating of technology.
- Acquisition of all or a portion of any school site or facility, or an interest therein, or make lease payments with respect to any school site or facility, encumbered in order to finance or refinance the listed school facilities projects.
- All other costs and work necessary or incidental to the listed bond projects.

#### PROJECTS INVOLVING RENOVATION, REHABILITATION OR REPAIR

For any project involving renovation, rehabilitation or repair of a building or the major portion of a building, the District shall be authorized to proceed with new replacement construction instead (including any necessary demolition) if the Board of Trustees determines that replacement new construction is more practical than renovation, rehabilitation or repair, considering the building's age, condition, expected remaining life, comparative cost and other relevant factors.

by this proposition for current maintenance, operation or repairs. The school facilities projects on the Bond Project List only authorize capital expenditures.

**Headings.** The headings or titles of the sections of the bond proposition, including any headings or titles included in the Bond Project List, are solely for convenience of reference and shall not affect the meaning, construction or effect of the bond proposition.

**Severability.** The Board hereby declares, and the voters by approving this bond proposition concur, that every section and part of this bond proposition has independent value, and the Board and the voters would have adopted each provision hereof regardless of every other provision hereof. Upon approval of this bond proposition by the voters, should any part be found by a court of competent jurisdiction to be invalid for any reason, all remaining parts hereof shall remain in full force and effect to the fullest extent allowed by law, and to this end the provisions of this bond proposition are severable.

#### GENERAL PROVISIONS

**Interpretation.** The terms of this bond proposition and the words used in the Bond Project List shall be interpreted broadly to effect the purpose of providing broad and clear authority for the officers and employees of the District to provide for the school facilities projects the District proposes to finance with the proceeds of the sale of bonds authorized by this proposition within the authority provided by law, including Article XIII A, Section 1(b)(3) of the California Constitution, Education Code Section 15000 *et seq.* and the Strict Accountability in Local School Construction Bonds Act of 2000. Without limiting the generality of the foregoing, such words as repair, improve, upgrade, expand, modernize, renovate, and reconfigure are used in the Bond Project List to describe school facilities projects in plain English and are not intended to expand the nature of such projects beyond, or have an effect on, and shall be interpreted to only permit, what is authorized under Article XIII A, Section 1(b)(3) of the California Constitution, Education Code Section 15000 *et seq.* and the Strict Accountability in Local School Construction Bonds Act of 2000. In this regard, the Bond Project List does not authorize, and shall not be interpreted to authorize, expending proceeds of the sale of bonds authorized